

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY
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LAURA ANDERSON BARBATA,
Plaintiff,

-v-

MARC LATAMIE,
Defendant.
-----X

11 Civ. 7381 (DLC)

MEMORANDUM OPINION
& ORDER

DENISE COTE, District Judge:

Plaintiff Laura Anderson Barbata ("Barbata") filed an amended complaint on November 23, 2011. On February 17, 2012, defendant Marc Latamie ("Latamie") filed an answer to the amended complaint and counterclaims. Barbata moved to dismiss the defendant's counterclaims on March 1. By Order of March 19, Latamie was given until March 30 to file an amended pleading. Latamie filed an amended pleading on March 30, and a second amended pleading on April 11. On May 1, 2012, Latamie filed a motion for leave to file a third amended pleading. The motion became fully submitted on May 10.

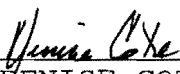
Rule 15 permits a party to amend its pleading once as a matter of course and thereafter with the opposing party's written consent or the court's leave. "The court should freely give leave when justice so requires." Fed. R. Civ. P. 15(a). Accordingly, it is hereby

ORDERED that the May 1, 2012 motion for leave to file a third amended pleading is granted. The defendant shall file his amended pleading by May 16, 2012.

IT IS FURTHER ORDERED that the defendant shall have no further opportunities to amend.

SO ORDERED:

Dated: New York, New York
May 15, 2012



DENISE COTE
United States District Judge